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August 15, 2011

VIA ECF

Hon. Dora L. Irizarry
United States District Judge
Eastern District of New York
United States Courthouse
225 Cadman Plaza East
Room 4A South
Brooklyn, NY 11201-1818

Re: **Rosenberg et al. v. Lashkar-e-Taiba et al., 1:10-cv-05381**
Scherr v. Lashkar-e-Taiba et al., 1:10-cv-05382
Chroman v. Lashkar-e-Taiba et al., 1:10-cv-05448
and related case
Ragsdale v. Lashkar-e-Taiba et al., 1:11-cv-3893

Dear Judge Irizarry:

We represent three of the defendants (Inter-Services Intelligence Directorate of the Islamic Republic of Pakistan ("ISI") and the current and former Director Generals of ISI, Ahmed Shuja Pasha and Nadeem Taj) in the first three actions noted above, which are before Your Honor and in which a motion to dismiss is fully briefed and pending.

On behalf of counsel for all parties who have appeared in those actions, I write with respect to the new, related action, *Ragsdale v. Lashkar-e-Taiba et al.* 1:11-cv-3893, filed on Friday August 12.

Like the Plaintiffs in the cases pending before you, the individual Plaintiff in *Ragsdale* is alleged to be a United States Citizen injured in the 2008 Mumbai attacks, is represented by the same counsel and the *Ragsdale* complaint allegations and personal injury claims are identical to those asserted in the *Rosenberg*, *Scherr* and *Chroman* actions. My firm will appear in *Ragsdale* for ISI and the present and former Director Generals.

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Pursuant to Local Rule 1.6(a) Plaintiffs' counsel designated *Ragsdale* as related to the existing actions on the civil cover sheet.¹ However, despite the designation of *Ragsdale* as a related case, it has initially been assigned to Judge Townes and Magistrate Judge Pohorelsky.

Counsel are in agreement that *Ragsdale* is a related case and would anticipate that it will be transferred to you. Accordingly, on behalf of all counsel who have appeared, I write to propose a consolidated procedure which counsel believe would provide for the most efficient management of these cases.

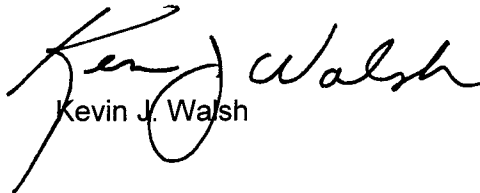
As the Court knows, the three cases before Your Honor are subject to an Order (docket, April 13, 2011) which set a procedure and briefing schedule for motions to dismiss by these Defendants. The initial motion to dismiss, on sovereign immunity and political questions grounds, is now fully briefed and pending.

Assuming that *Ragsdale* is transferred, counsel are in agreement that the motion procedure set by the April 13, 2011 Order should be applied to *Ragsdale* and that Defendants' pending motion should be deemed applicable to the new action, with further grounds for dismissal, if necessary, to be raised in a second motion. Under this procedure, no further briefing would be required as result of the addition of the new case, and the case would be effectively consolidated for the pending motion.

Should Your Honor prefer a formal stipulation to be so ordered by the Court, we will be happy to submit same for the convenience of the Court, but we wanted to immediately apprise the Court of the new, related action and our proposal for a consolidated procedure.

I have copied this letter (via ecf) to Judge Townes and Magistrate Judge Pohorelsky, so they will be apprised of the status of the three related cases.

Respectfully submitted,



Kevin J. Walsh

KJW:md

Enclosure

cc: Hon. Sandra L. Townes
Hon. Viktor V. Pohorelsky
James P. Kreindler, Esq.

¹ However, the civil cover sheet reflected the initial assignment of *Rosenberg* (10-5382) to Judge Glaser and *Chroman* (10-5448) to Judge Matsumoto. Of course both cases were subsequently assigned to you by Chief Judge Dearie. (Order, 2/8/10).